

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 0837RF-H533-US

INTERVIEW SUMMARY
AND
CONDITIONAL RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is submitted in response to the telephone interview conducted on 1 July 2009 with Examiner Christopher Verdier regarding the Notice of Non-Compliant Amendment dated 23 June 2009. As discussed below, if necessary, this document is to be construed as also constituting a Response to the 23 June 2009 Notice of Non-Compliant Amendment.

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. § 1.8(a)(1)(i)(C)

Date of Transmission: 30 July 2009

I hereby certify that this correspondence is being transmitted to the U.S. Patent and Trademark Office (USPTO) via the USPTO electronic filing system (EFS-Web) on the date shown above.

By: /Brian E. Harris 48,383/
Brian E. Harris

REMARKS

INTERVIEW SUMMARY:

Applicants acknowledge with appreciation Examiner Christopher Verdier granting an Examiner Interview on 1 July 2009 with Applicants' representative Brian Harris.

During the Examiner Interview, the Notice of Non-Compliant Amendment dated 23 June 2009 ("Notice") was discussed. Specifically, Applicants' representative requested clarification concerning the alleged defects noted in the Notice. The Examiner indicated that the Notice was sent in error, and the Examiner stated that he would withdraw the Notice, issue an Interview Summary indicating that the Notice has been withdrawn, and that no response to the Notice would be necessary.

THIS DOCUMENT MAY BE CONSTRUED AS ALSO CONSTITUTING A RESPONSE TO THE 23 JUNE 2009 NOTICE OF NON-COMPLIANT AMENDMENT:

Notwithstanding the statements made by the Examiner during the above-described telephone interview, in the event that a response to the Notice is necessary despite the indication to the contrary by the Examiner, this document is to be construed as also constituting a Response to the 23 June 2009 Notice of Non-Compliant Amendment, and Applicants respectfully point out that no corrections to the Amendment filed 11 March 2009 are necessary as indicated by the Examiner during the 1 July 2009 telephone interview.

CONCLUSION:

The undersigned hereby authorizes the Director to charge any fees that may be required, or credit any overpayments, to **Deposit Account No. 502806**.

Since this Interview Summary is being filed within one month of the interview date, no extension of time is believed to be necessary.

However, if an extension of time is needed for allowing this document to be timely filed as a Response to the 23 June 2009 Notice of Non-Compliant Amendment, this document is to be construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) to the extent necessary. Any fee required for such Petition for Extension of Time should be charged to **Deposit Account No. 502806**.

Respectfully submitted,

30 July 2009
Date

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